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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
Burbank et al.

Examiner: Brian S. Szmal

Group Art Unit: 3736

For: **ELECTROSURGICAL BIOPSY  
DEVICE AND METHOD**

Serial No.: 10/650,027

**REQUEST FOR CONTINUED  
EXAMINATION UNDER  
37 CFR §1.114**

Filed: August 27, 2003

Atty. Docket No.: R0367-00302

## CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by facsimile to (371) 273-8300, addressed to Atty. Examiner Brian S. Szmal, at Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 11/2/06, in San Francisco, CA.

By: *[Signature]*

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for continued examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

iii. ☐ Other: \_\_\_\_\_.

b. ☒ Enclosedi. ☒ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other: \_\_\_\_\_

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2. Filing Fees

Description	Fee Code	Claims	Extra	Rate	Fee
RCE Fee	2801				\$395.
Independent Claims	2201	6 - 6 =	0 x	\$100.=	-0-
Total Claims	2202	33 - 34 =	0 x	\$25.=	-0-

Total Filing Fees Due.....\$395.

3. Payment of Fees

/ X / The Commissioner is hereby authorized to charge the fees due and to credit any overpayment of fees which may be required under 37 CFR §1.16 and §1.17, to Deposit Account No. 04-1679, referencing Atty. Docket No. R0367-00302. A duplicate copy of this sheet is enclosed for this purpose.

4. Address all future communications to:

Edward J. Lynch  
DUANE MORRIS LLP  
One Market  
Spear Tower, Suite 2000  
San Francisco, CA 94105

5. Other documents enclosed herewith:

/     / Other: \_\_\_\_\_

Respectfully submitted,

By: \_\_\_\_\_

Edward J. Lynch  
Registration No. 24,422  
Attorney for Applicants

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